

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 25-60479-CIV-DAMIAN**

**SHARENE JERKINS KIRKLAND,**

Plaintiff,

v.

**TRANSPORTATION SECURITY  
ADMINISTRATION, *et al.*,**

Defendants.

/

**ORDER ADOPTING REPORT AND RECOMMENDATION [ECF NO. 8]  
AND DISMISSING CASE**

**THIS CAUSE** came before the Court on Magistrate Judge Jared M. Strauss's Report and Recommendation, entered on April 17, 2025 [ECF No. 8 (the "Report")].

THE COURT has reviewed the Report and the pertinent portions of the record and is otherwise fully advised.

After carefully considering the record, Judge Strauss issued the Report, recommending that the case be dismissed for failure to pay the required filing fee or to submit a completed Civil Cover Sheet (after a notice from the Clerk's Office to do so and an order to show cause). The Report summarizes the relevant background and procedural history, and therefore, the Court will not set out the background in detail here.

On March 27, 2025, Judge Strauss entered an Order to Show Cause directing Plaintiff to file a "Civil Cover Sheet and pay the filing fee by April 10, 2025," warning that "[f]ailure to do so may result in dismissal of Plaintiff's Complaint without further notice." ECF No. 6. To date, Plaintiff has not submitted a Civil Cover Sheet, paid the \$405.00 filing

fee, or filed anything with the Court besides her Complaint. Judge Strauss therefore recommended dismissing the case without prejudice. *Id.* at 2 (citing *TCM Fin., LLC v. Conategi, LLC*, No. 21-CV-20640, 2021 WL 925516, at \*1 (S.D. Fla. Mar. 11, 2021) (Bloom, J.); Remand Order [ECF No. 8], *Black River Partners I, LLC v. Conategi, LLC*, Case No. 1:21-20912-KMM (S.D. Fla. March 30, 2021) (Moore, J.)). No party filed objections to the Report, and the time for doing so has expired. *See generally* Docket.

When a magistrate judge’s “disposition” has properly been objected to, district courts must review the disposition *de novo*. Fed. R. Civ. P. 72(b)(3). When no party has timely objected, however, “the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72 advisory committee’s notes (citation omitted). Although Rule 72 itself is silent on the standard of review, the Supreme Court has acknowledged Congress’s intent was to only require a *de novo* review where objections have been properly filed, not when neither party objects. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate [judge]’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).

The undersigned has reviewed the Report, the record, and the applicable law to assure herself that no clear error appears on the face of the record. In light of that review, the undersigned agrees with the thorough analysis and well-reasoned recommendation stated in Judge Strauss’s Report and agrees with Judge Strauss’s conclusion. Accordingly, it is

**ORDERED AND ADJUDGED** that the Report [ECF No. 8] is **AFFIRMED AND ADOPTED** as follows: this matter is **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court shall **CLOSE** this case.

Should Plaintiff seek to refile her Complaint and either pay the filing fee or seek leave to proceed in forma pauperis and without payment of the fee, she may refile her Complaint in this action within fourteen (14) days of the date of this Order along with the filing fee or a Motion for Leave to Proceed *in forma pauperis*. Otherwise, she must refile in a new action.

**DONE AND ORDERED** in Chambers in the Southern District of Florida this 21st day of May, 2025.



MELISSA DAMIAN  
UNITED STATES DISTRICT JUDGE

cc: Magistrate Judge Jared M. Strauss

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*Pro se*